

after determining all applicable requirements of the Convention have been met. In the event the completion of the certification of any passenger vessel cannot be effected prior to the sailing of the passenger ship on a foreign voyage, or in any case where the Passenger Ship Safety Certificate is not received from the Commandant before the ship sails on a foreign voyage, the Officer in Charge, Marine Inspection, will issue a completed Form CG-969, describing the passenger ship and certifying that an application for a Passenger Ship Safety Certificate is being processed, and that in his opinion the vessel meets applicable requirements of the Convention administered by the Coast Guard.

(2) The completed Form CG-969 may be exhibited in explanation of the failure of the passenger ship to have on board a current Passenger Ship Safety Certificate. This completed form CG-969 may be accepted as prima facie evidence that the passenger ship described therein is in compliance with the applicable requirements of the Convention.

(e) *Exempted vessel.* (1) A vessel may be exempted by the Commandant from complying with certain requirements of the Convention under his administration upon request made in writing to him and transmitted via the Officer in Charge, Marine Inspection. In such case the exemptions are stated in the Exemption Certificate, which is issued by the Commandant through the appropriate Officer in Charge, Marine Inspection.

(2) The Exemption Certificate which modifies the Cargo Ship Safety Radiotelephony Certificate or the Cargo Ship Safety Radiotelegraphy Certificate is issued by the Federal Communications Commission.

(f) *Posting certificates.* The Convention certificates issued to a vessel shall be posted in a prominent and accessible place on the vessel in a manner similar to that for certificates of inspection.

(g) *Foreign flag vessels.* At the request of the government of a country in which is registered a vessel engaged in an international voyage, such a vessel may be issued the applicable certificate or certificates listed in paragraph (a) of this section. The certificate will be issued only after inspection has been

made by the issuing agency, providing the vessel is found to comply with the requirements of the Convention.

[CGFR 65-50, 30 FR 16604, Dec. 30, 1965, as amended by CGD 73-96, 42 FR 49023, Sept. 16, 1977; CGD 90-008, 55 FR 30659, July 26, 1990]

§ 2.01-40 Passengers or persons in addition to crew on cargo or tank vessels.

(a) Under authority of 46 U.S.C. 882 a cargo vessel or a tank vessel documented under the laws of the United States and subject to inspection under applicable regulations in subchapter D (Tank Vessels) or subchapter I (Cargo and Miscellaneous Vessels) of this chapter may be allowed by its certificate of inspection to carry not to exceed 16 persons in addition to the crew: *Provided*, That such vessel subject to the applicable provisions of the effective International Convention for Safety of Life at Sea may carry not to exceed 12 persons in addition to the crew.

(b) The application for permission to carry persons in addition to the crew may be included in the application described in § 2.01-1. If granted it is endorsed on the certificate of inspection.

§ 2.01-45 Excursion permit.

(a) Under authority of 46 U.S.C. 453 a passenger vessel may be permitted to engage in excursions and carry additional numbers of passengers. For details see part 71 of subchapter H (Passenger Vessels) of this chapter.

(b) The application for an excursion permit is made by the master, owner, or agent of the vessel to the Officer in Charge, Marine Inspection, on Coast Guard Form CG-950, Application for Excursion Permit. If, after inspection, permission is granted, it is given on Coast Guard Form CG-949, Permission to Carry Excursion Party. The permit describes the vessel, the route over which and the period during which the excursions may be made, and the safety equipment required for the additional persons indicated.

§ 2.01-50 Persons other than crew on towing, oyster, or fishing steam vessels.

(a) Under authority of 46 U.S.C. 458 a steam vessel engaged in towing, oyster dredging and planting, and fishing may